

Morris James LLP

Patricia R. Uhlenbrock
302.888.6897
puhlenbrock@morrisjames.com

April 24, 2008

The Honorable Gregory M. Sleet
U.S. District Court for the District of Delaware
844 North King Street, Room 4209
Lockbox 18
Wilmington, Delaware 19801

Re: *Institute for Disabilities Research and Training, Inc.*
v. Wal-Mart Stores, Inc., C.A. No. 05-176-GMS

Dear Judge Sleet:

We serve as Delaware counsel in the above-captioned case, along with Harvey Greenberg. After trial in the above-referenced case concluded on or about April 24, 2006, this Court issued its Memorandum and Judgment in favor of *Institute for Disabilities Research and Training, Inc.* ("IDRT") on September 25, 2007. Although the Court awarded damages to IDRT, it did not include the specific amount of money damages awarded to IDRT. On October 25, 2007, Plaintiff IDRT filed post-trial motions to address that issue. On the same date, Wal-Mart (Defendant) filed a "Protective" Appeal with the United States Court of Appeals for the Third Circuit. On January 9, 2008, that Court "stayed" the appeal pending this Court's resolution of the post-trial motions. On January 23, 2008, the Plaintiff requested the United States Court of Appeals for the Third Circuit to reconsider its docket order and instead, dismiss the appeal. That Motion has not been decided. Also, on January 23, 2008, we wrote to this Court, reiterating the open damage amount issue, the case status and suggested a settlement conference might help to resolve the open matter in an expeditious and efficient manner.

We respectfully request that the Court review the status of this case and schedule a conference, set dates for the parties' submissions on the amount of monetary damages for the "Phase II Contract Price" that this Court found to be due to IDRT and/or a hearing date in order to address the open issue(s). While the Plaintiff is, of course, anxious to move this matter forward, it understands the Court's schedule must accommodate whatever proceeding the Court feels is appropriate. Nevertheless, if there is anything at all that the Plaintiff or counsel can do to help move the case along, it/we are ready to accommodate the Court.

Morris James_{LLP}

The Honorable Gregory M. Sleet
April 24, 2008
Page 2 of 2

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patricia R. Uhlenbrock", with a long, sweeping horizontal line extending to the right.

Patricia R. Uhlenbrock (#4011)

PRU/dar

Enclosures

cc: Gregory A. Inskip, Esquire (via e-filing)
Harvey R. Greenberg, Esquire (via e-mail)
Clerk of the Court (via e-filing)